

been transported from the State of California into the State of New York, and charging adulteration in violation of the food and drugs act. Portions of the article were labeled in part: "White Ribbon Brand * * * California Peach & Fig Growers." The remainder of the said article was labeled in part: "Blue Ribbon Figs * * * Grown and Packed in California * * * by California Peach & Fig Growers Association, Fresno."

It was alleged in the libels that the article was adulterated in that it consisted in part of a filthy, decomposed, or putrid vegetable substance.

On March 9, 1932, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19528. Adulteration of candy. U. S. v. Puckhaber Bros. Candy Co. Plea of guilty. Fine, \$10. (F. & D. No. 26666. I. S. No. 27738.)

This action involved an interstate shipment of penny candy. The pieces were hollow and were found to contain trinkets made of lead.

On October 3, 1931, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Puckhaber Bros. Candy Co., a corporation, Charleston, S. C., alleging shipment by said company, in violation of the food and drugs act, on or about January 28, 1931, from the State of South Carolina into the State of Florida, of a quantity of candy that was adulterated. The article was labeled: "120 Money Boxes Puckhaber Bros. Candy Co., Charleston, S. C."

It was alleged in the information that the article was adulterated in that it contained an added poisonous and deleterious ingredient, to wit, lead, which might have rendered it injurious to health.

On January 15, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19529. Adulteration of canned prunes. U. S. v. 60 Cases of Canned Prunes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27359. I. S. No. 29059. S. No. 5555.)

Samples of canned prunes taken from the shipment herein described having been found to be partially decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On December 11, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 60 cases of canned prunes at New York, N. Y., alleging that the article had been shipped by the Sherwood Canning Co., Portland, Oreg., on or about April 29, 1931, and had been transported from the State of Oregon into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Totem Brand Fresh Prunes * * * Packed by Sherwood Canning Co., Sherwood, Oregon."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed vegetable substance.

On January 11, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19530. Adulteration and misbranding of corn flour. U. S. v. Independent Casing Co. Plea of guilty. Fine, \$100. (F. & D. No. 26696. I. S. Nos. 7624, 14031.)

This action was based on the interstate shipment of quantities of corn flour, samples of which were found to be insect-infested. The labeling of the article failed to declare the quantity of contents.

On December 1, 1931, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Independent Casing Co., a corporation, Chicago, Ill., alleging shipment by said company, through its authorized agent, in violation of the food

and drugs act, as amended, on or about September 12, 1930, from the State of Nebraska into the State of Illinois, of quantities of corn flour that was adulterated and misbranded. The article was labeled in part: (Barrel) "The Independent Casing & Supply Co. Special Hereford Flour Chicago, U. S. A."

It was alleged in the information that the article was adulterated in that it consisted in part of a filthy animal substance.

Misbranding was alleged for the reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On January 25, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19531. Misbranding of peanut butter. U. S. v. Commercial Creamery Co. Plea of guilty. Fine, \$25. (F. & D. No. 26693. I. S. No. 12544.)

Sample cans of peanut butter from the shipment herein described having been found to contain less than the declared weight, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Washington.

On October 26, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid an information against the Commercial Creamery Co., a corporation, Spokane, Wash., alleging shipment by said company, in violation of the food and drugs act as amended, on or about May 21, 1931, from the State of Washington into the State of Idaho, of a quantity of peanut butter that was misbranded. The article was labeled in part: (Can) "Net Weight 1 Pound Eatsum Brand Peanut Butter * * * Manufactured by Commercial Creamery Company, Spokane, Wash."

It was alleged in the information that the article was misbranded in that the statement "Net Weight 1 Pound," borne on the cans containing the said article, was false and misleading, and for the further reason that it was labeled so as to deceive and mislead the purchaser, since the said cans contained less than 1 pound of the article. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the cans contained less than represented.

On April 13, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19532. Misbranding of cottonseed meal. U. S. v. International Vegetable Oil Co. Plea of guilty. Fine, \$100. (F. & D. No. 26573. I. S. Nos. 8828, 9675.)

This action was based on the interstate shipment of quantities of cottonseed meal which was found upon analysis to contain less protein and more fiber than was declared on the labels.

On September 8, 1931, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the International Vegetable Oil Co., a corporation, trading at Augusta, Ga., alleging shipment by said company, on or about September 15, 1930, from the State of Georgia into the State of New York, of two lots of cottonseed meal that was misbranded in violation of the food and drugs act. The article was labeled in part: (Tag) "Cottonseed Meal * * * Min. Protein 41.12% * * * Max. Crude Fibre 10.00%."

It was alleged in the information that the article was misbranded in that the statements, "Guaranteed Analysis Min. Protein 41.12% * * * Max. Crude Fibre 10.00%" and "41% Protein," borne on the tag, were false and misleading; and for the further reason that the article was so labeled as to deceive and mislead the purchaser; since the product in one lot contained not more than 37.65 per cent of protein and not less than 14.94 per cent of crude fiber, and in the other lot not more than 38.20 per cent of protein and not less than 11.42 per cent of crude fiber.

On March 25, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture.*